

**REMARKS****Background**

The Examiner has imposed a restriction requirement for this case. Applicant elected Species I, Figures 1 and 2: tunable add/drop multiplexer having a mechanically rotatable hologram, in a response filed 2/14/03. Then the Examiner, via telephone, informed Applicant that the election is incomplete without specifying the claims on which Species I read.

**Generic Claims**

The Examiner has stated that claims 1, 76, and 87 appear to be generic claims. Applicant submits further that claims 4, 11, 17-22, 30-31, 38-40, 59-60 and 72-75, 83, 88-89, 93-96 are generic as well as they cover all species. MPEP 806.04(d) states that a generic claim has to read on all the species in the application and these claims do in fact read on all the species in the application. Applicant hereby requests their designation as generic claims.

**Election**

Applicant hereby elects Species I in the present application. Claims 2, 5-7, 9-10, 13-16, 25-27, 41, 43, 49-55, 61, 63-64, 77-78, 84-85, 90, along with the generic claims mentioned above, read on Species I.

The following claims, as they are directed to the other two species, are cancelled from the application:

Claims 3, 8, 12, 23-24, 28-29, 32-37, 42, 44-48, 56-58, 62, 65-71, 79-82, 86, 91-92, 97-98.

• **Conclusion**

Applicant has now fully responded to the restriction requirement by electing Species I and canceling the other non-elected claims. Applicant hereby requests for timely granting of the Notice of Allowance.

Respectfully submitted,

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Marked-up Version Showing Changes

1 (Amended). An tunable optical device, comprising:

a holographic element, having a hologram therein which has a predetermined relationship to a plurality of wavelengths;

a wavelength varying element, coupled to said holographic element, and varying said predetermined relationship; and

a first optical system, handling first wavelengths of an optical signal which pass through said holographic element without being changed by said hologram as an output signal; and a second optical system, separate from said first optical system, and handling a second optical signal including said [wavelength] plurality of wavelengths having said predetermined relationship as varied by said wavelength varying element.

19 (Amended). An [apparatus] device as in claim 18, wherein said add port comprises a Y junction.

38 (Amended). A method for multiplexing wavelengths, comprising:

applying an input optical signal having a plurality of wavelengths therein to an area of a hologram;

tuning said hologram to one of [a] said plurality of wavelengths; and

[using] adjusting said hologram to separately optically process said one of said wavelengths differently from others of said wavelengths.

39 (Amended). A method as in claim 38, wherein an output signal includes all wavelengths except said one of said wavelengths and producing a dropped signal [includes] including only said one of said wavelengths.

49 (Amended). A method as in claim [48] 38, wherein said [first] an optical output signal travels in substantially a same direction as said input optical signal.

61 (Amended). [A system] An apparatus as in claim 60, wherein said tuning element changes by [moving comprises] moving said hologram.

63 (Amended). [A system] An apparatus as in claim 61, wherein said moving said hologram moves said hologram in a way which forms a substantially cone shape.

83 (Amended). A device as in claim 76, wherein said output optical beam includes a first [and] output optical beam and a dropped optical beam, extending in different directions, said first output optical beam having at least one frequency band removed relative to said input optical beam.